

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LUKE STRUB and CHRISTINE STRUB,

Civil No. 04-5010 (JRT/RLE)

Plaintiffs,

v.

ORDER

AUTO-OWNERS INSURANCE,

Defendant.

Bray M. Dohrwardt, Lauren E. Lonergan, and Jonathan P. Schmidt,
BRIGGS & MORGAN, PA, 80 South Eighth Street, Suite 2200,
Minneapolis, MN 55402, for plaintiffs.

Joseph F. Lulic and Timothy S. Poeschl, **HANSON LULIC & KRALL,
LLC**, 700 Northstar East, 608 Second Avenue South, Minneapolis, MN
55402, for defendant.

After this Court issued its Order dated August 4, 2006, denying defendant Auto-Owners Insurance's motion for summary judgment, defendant filed a letter with the Court, requesting the Court to amend its August 4, 2006 Order. Specifically, defendant requests the Court to amend its order with respect to plaintiffs' claim under Minn. Stat. § 325F.69, and to grant summary judgment on that claim in favor of defendant.

The Court denies the request to amend its August 4, 2006 Order. As set forth in that Order, the Court finds that there are genuine issues of material fact as to the replacement value of the house, which preclude summary judgment on plaintiffs' claim under Minn. Stat. § 325F.69.

Based on the foregoing, all the records, files, and proceedings herein, **IT IS**
HEREBY ORDERED that defendant's request to amend the August 4, 2006 Order
[Docket No. 58] is **DENIED**.

Dated: August 25, 2006
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge